

PATENT

Docket No. 3553-4020US2
Express Mail Label No. EJ606951941US

424

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker et al. Prior Appln. Serial No. 09/443,158
Serial No : TBA Group Art Unit: 2768
Filed : February 8, 2000 Examiner: TBA
For : **CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM**



INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application noting the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☒ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior parent ☒ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.53, U.S. Serial No. 09/443,158, filed November 18, 1999, which is a Continuation application of US Serial No. 08/889,319, filed July 8, 1997.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500. Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the attached petition requesting consideration of this Information Disclosure Statement; and
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
 - b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
 - c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

[] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. _____ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3553-4020US2 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

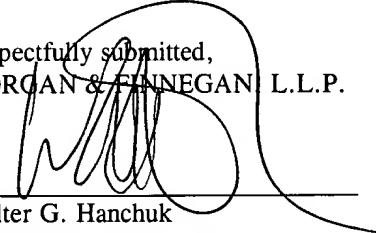
11. [X] Applicants respectfully direct the Examiner's attention to the following U.S. Patent Applications, which are commonly assigned to the assignee of the instant application, and which may be deemed to be pertinent to the instant application:

<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>
08/889,319	08/923,530	08/943,266	08/969,875	09/190,744
08/923,317	08/923,618	08/943,483	08/997,170	09/205,663
08/923,524	08/923,683	08/964,967	09/058,840	09/205,666
09/205,787	09/224,907	09/261,322		
09/205,824	09/227,169			
09/220,191	09/252,574			

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 18, 2000

By: 
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FORM: IDS.NY
Rev. 4/12/95

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 3553-4020US2		SERIAL NO. TBA	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT Jay S. Walker, et al.			
				FILING DATE 02/18/00		GROUP ART UNIT TBA	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,878,403	Mar. 2, 1999	DeFrancesco et al.			
		5,809,478	Sep. 15, 1998	Greco et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)							
			LANCORP Mortgage Services, http://www.lancorp-mortgage.com/retailpa.htm , 1998				
			Inland Mortgage Corporation, http://inlandmortgage.com/index.htm , 1998				
			The Mortgage Store, http://www.mortgagestore.com , 1998				
			Golden Age Antiques and Collectibles Online Auction, http://www.goldage.com , 1997				
			Moran, Susan, "Xerox Won't Duplicate Past Errors", Business Week, 9/29/97				
			Coleman, Zach, "Electronic Trading System Matches Buyers, Seller", Atlanta Business Chronicle, vol 20; no. 12; pg. 37A, August 22, 1997				
			"What's Holding Up E-Cash?", Cybernautics Digest, vol. 3; no. 7, Finance				
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME
	5,774,883	Jun. 30, 1998	Andersen et al
	5,331,546	Jul. 19, 1994	Webber et al.
FOREIGN PATENT DOCUMENTS			
DOCUMENT NUMBER	DATE	COUNTRY	CLASS
SUBCLASS	TRANSLATION		
			YES
			NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>			
	Resnick, Paul et al, "Roles For Electronic Brokers", http://ccs.mit.edu/CCSWP179.htm 1997		
	Philatelists Online Information, http://www506.bonsai.com/q/@131354lhyljf/infop.html , 1997		
	Sports trade Information, http://www.sportstrade.com/infos.html , 1997		
	Numismatists Online Information, http://www.numismatists.com/info.html , 1997		
	Sell and Trade Internet Marketplace, Sell and Trade, http://sellandtrade.com/script/main.asp , 1997		
	Kay, Alan, "Chapter 7 Future Research", 1997		
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		5,715,402	Feb. 3, 1998	Popolo			
		3,581,072	May 25, 1971	Nymeyer			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
		97/16797	5/9/97	WO			
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			Trade-direct, http://www.trade-direct.com . 1997				
			"Internet Mortgage Service Eliminates Loan Agents and Passes Commissions on to the Consumer", Yahoo! Finance, 1997				
			Negroponte, Nicholas, "Pay Whom Per What When, Part 2", NEGROPONTE, Issue 5.03, 1997				
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							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Papers, Etc.)*

			Rockoff, Todd E., et al., "Design of an Internet-based system for remote Dutch auctions," Internet Research: Electronic Networking Applications and Policy, Vol. 5, No. 4, pp. 10-16, 1995.
			Franklin, Matthew K., et al., "The Design and Implementation of a Secure Auction Service," Proceedings: 1995 IEEE Symposium on Security and Privacy, pp. 2-14, 1995.
			Tenenbaum, Jay M., et al., "CommerceNet: Spontaneous Electronic Commerce on the Internet," 1995 IEEE Spring Conference, pp. 38-43.
			Sirbu, Marvin and Tygar, J.D., "NetBill: An Internet Commerce System Optimized for Network Delivered Services," IEEE 1995 Spring Conference, pp. 20-25.
			Bunker, Ted, "How Auction Technology Sped And Enhanced Sale Of Radio Licenses," Investor's Business Daily, Executive Update, Regulation, Pg. A3, February 24, 1995.
			"AUCNET: The Story Continues", Harvard Business School, January 17, 1995
			Anand, R., and Rao, M. Padmaja, "The Electronic Flea Market", IBM Research Division: Research Report, pp. 1-18, July 28, 1994.

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			"Unusual Farmland Auction Set," Harrison Scott Publications, Liquidation Alert, March 28, 1994
			"The Computer Museum brings auction block to cyberspace in First Internet Auction," Business Wire, March 14, 1994.
			Freeman, Brian and Gideon, Lidor, "Hosting Services - Linking the Information Warehouse To the Information Consumer," IEEE 1994 Spring Conference, pp. 165-171.
			Booker, Ellis, "Mega real estate auction counts on imaging," Computerworld, p. 20, December 7, 1992.
			Abstract: "A forward/reverse auction algorithm for asymmetric assignment problems," Computational Optimization and Applications, December 1992.
			Abstract: "Marketel Shuts Doors," Travel Agent Magazine, March 23, 1992.

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			Cass, Maxine, "West Coast Agents Remain Skeptical About New Air Ticket Sales Plan; Marketel: Airline ticket sales system sparks concern," Travel Agent Magazine, p. 50, September 2, 1991.
			Bookit!, "Airline Ticket Purchase Order For Business & Leisure Travel", Marketel International, Inc., 1991
			Inhaber, Herbert, "How To Solve the Problem of Siting Nuclear Waste," Transactions of the American Nuclear Society, Vol. 62, November 11-15, 1990.
			Dyson, Esther, "Information, Bid and Asked," Forbes, August 20, 1990.
			"Mercado electronico, El chance de regatear por computador", CIENCIA Tecnologia E Informatica, March 21, 1990 (Translation enclosed).
			Cole, Jeff, "Fare bidding plan could be the ticket", St. Paul Pioneer Press Dispatch, March 11, 1990.

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							YES NO
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			Miller, Ross M., "The Design of Decentralized Auction Mechanisms that Coordinate Continuous Trade in Synthetic Securities," Journal of Economic Dynamics and Control, pp. 237-253, 1990.				
			Koepper, Ken, "Room Inventory Auctioning: The Next CRS Generation", Lodging, January 1990 at pages 26, 29-30				
			"Business Briefing, Airline Seats May Go on the Auction Block", Insight on the news, December 4, 1989.				
			"Business Travel Update, Automation", Travel Weekly, November 27, 1989.				
			Munro, Don and McCann, David, "A New Way To Purchase Travel, Automated Service Would Let Companies Bid For Already-Filled Airline Seats", Business Travel News, November 6, 1989.				
			"An Electronic Auction Ahead For Airline CRS's?", The Business Week Newsletter for Information Executives, October 27, 1989.				
			Cohen, Danny, "Electronic Commerce," ISI Research Report, University of Southern California, October 1989.				
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							YES NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>							
			"From Airline Tickets to Human organs, the Electronic Markets are Booming", Times, vol. 3, no. 50, August 14, 1989				
			Coyne, Andrew, "Unbundling ideas may alter world of politics," The Financial Post (Toronto), Section 1, p. 11, September 27, 1989.				
			Malone, Thomas W., et al., "Electronic Markets and Electronic Hierarchies," Communications of the ACM, Vol. 30, No. 6, June 1987.				
			"AUCNET: TV Auction Network System," Harvard Business School, July 19, 1989.				
			Sammer, Harald W., "Online Stock Trading Systems: Study of an Application," IEEE 1987 Spring Conference, pp. 161-162.				
			Littlefair, T., "Homelink: a unique service," Computer Bulletin, pp. 12-14, June 1986.				
			Banatre, Jean-Pierre, et al., "The Design and Building of Echere, a Distributed Electronic Marketing System," Communications of ACM, Vol. 29, No. 1, January 1986.				
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							YES NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>							
			Turoff, Murray and Chinai, Sanjit, "An Electronic Information Marketplace," Elsevier Science Publishers B.V., pp. 79-90, 1985.				
			Banatre, Michel, "Distributed auction bidding system," IPC Business Press, Computer Communications, Vol. 4, No. 4, August 1981.				
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3553-4020US2SERIAL NO.
TBA**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

APPLICANT

Jay S. Walker, et al.

FILING DATE
02/18/00GROUP ART UNIT
TBA**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,845,265	12/1/98	Woolston			
		5,835,896	11/10/98	Fisher, et al.			
		5,832,452	11/3/98	Schneider, et al.			
		5,826,244	10/20/98	Huberman			
		5,799,285	8/25/98	Klingman			
		5,797,127	8/18/98	Jay S. Walker, et al.			
		5,794,219	8/11/98	Brown			
		5,794,207	8/11/98	Walker, et al.			
		5,758,328	5/26/98	Giovannoli			
		5,757,917	5/26/98	Rose, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		97/46961	12/11/97	WIPO				X
		96/34356	10/31/96	WIPO				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

			Fishkin, Ken, Foresight Exchange Tutorial: (http://www.ideosphere.com/fx/docs/tutorial.html) February 19, 1999 at pge. 1 -5				
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		5,745,882	4/28/98	Bixler, et al.			
		5,732,400	3/24/98	Mandler, et al.			
		5,717,989	2/10/98	Tozzoli, et. al.			
		5,689,652	11/18/97	Lupien, et al.			
		5,664,115	9/2/97	Fraser			
		5,615,269	3/25/97	Micali			
		5,611,052	3/11/97	Dykstra, et al.			
		5,606,602	2/25/97	Johnson, et al.			
		5,592,375	1/7/97	Salmon, et al.			
		5,570,283	10/29/96	Shoolery, et. al.			
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>							
		"Bid.com 1998 Third-Quarter Revenue Increases 12.5 Percent From Second Quarter", Business Wire, October 29, 1998.					
		Final Report: Virtual Hospital (http://www.telemmed.medadmin.uiowa.edu/TRCDocs/Pubs/FinalReport/cVirtualH/virtualH/virtualh02.html), download date: September 20, 1998.					
		"First Source Become a Member", More Reasons To Join First Source! (http://www.fsource.com/bene.html), download date: September 20, 1998.					
		Jeffrey Davis, "Big Storm rising", Business 2.0, September, 1998 at p. 60.					
		Suite 101.com (http://www.suite101.com/doc.cfm.presskit/questions), 1998.					
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		5,557,517	9/17/96	Daughterty, III			
		5,557,518	9/17/96	Rosen			
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		5,799,285	8/25/96	Klingman			
		5,519,769	5/21/96	Weinberger, et al.			
		5,517,555	5/14/96	Amadon, et al.			
		5,500,793	3/19/96	Deming, Jr., et. al.			
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